

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

93

APPROPRIATE
JAN 18 2005
PATENT & TRADEMARK OFFICE

Appl. No. : 10/648,634 Confirmation No. 5181
Applicants : Larry L. Johnson
Filed : 8/25/03
Title : Proton Exchange Membrane Based Power System for a
Telecommunication Facility
Group Art Unit : 2834
Examiner :
Docket No. : 2233/SPRI.103531
Customer No. : 32423

Mail Stop Issue Fee
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF TRANSMISSION
37 C.F.R. 1.8

I hereby certify that this correspondence is being transmitted via
U.S. mail to Mail Stop Issue Fee; Commissioner for Patents
P. O. Box 1450; Alexandria, VA 22313-1450 on September 24,
2004.

1/14/05

RESPONSE AFTER NOTICE OF ALLOWANCE UNDER 37 C.F.R. § 1.312;
RESUBMISSION OF IDS WHICH WAS LOST BY THE USPTO

This comes in response to the Examiner's Notice of Allowance mailed out November 16, 2004. Upon review after receipt of the Notice of Allowance it was discovered that the attached Information Disclosure Statement (IDS) was received via facsimile, but never entered by the Office. A copy of the IDS, the transmittal showing that it was electronically received, and the already-submitted IDS, including a form PTOSB/08 (1449) and copies of the references and an international search report are all attached.

Submissions of prior art after receipt of a Notice of Allowance are authorized under 37 C.F.R. § 1.312, but not entered as a matter of right. Because (i) the references appear to be of low relevance and (ii) that the loss of the IDS was not to be the fault of the Applicant, it is respectfully requested that the IDS be considered. It is further requested that the PTO-1449 form be signed, dated, and entered, and that the application then again be passed on to allowance.

Respectfully submitted,

Marshall S. Honeyman
Reg. No. 48,114

Application No. 10/648,973
Response date May 11, 2004
IDS

MSH/tjd

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